IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2095 OF 2005
IN
L.A.R.NO.4 OF 2003 in Case No.LAQ/382/5/Kirol

The S.L.A.O.(3) .... Plaintiff

vs

Padamshi Hirji & ors .. Defendants
&
Dy.Chief Engineer (C) Metro.Trans.Project (Rlys) .. Acq.body

Mr.R.G.Mane AGP for SLAO
Ms Seema Chetti i.b Suresh Kumar for Ac.body
Mr.Vaghela for Cl.no.6,8 to 17,12,13 to 18,19,20 21 to 33.
Ms Asha Bhambwani for Intervenor

CORAM : SMT R.S.DALVI, J

DATED : 15th January, 2007

P.C.

1. The reference has been made for apportionment of the amounts of the award between the landlords who are the claimant nos. 1 to 7 and the tenants who are claimant nos. 8 to 33.

2. The tenants have been accommodated in a permanent accommodation by the acquiring body free of cost. Consequently, the acquiring body has claims/interest of the tenants in the award in his reference. The owners have taken out this application to withdraw the entire amount of the award deposited by the S.L.A.O. in this case. Such withdrawal cannot be permitted in view of the equitable claim of the acquiring body.

3. Notice of Motion is dismissed.

(Smt R.S.Dalvi,J)